

## **REMARKS**

### **I. Amendments to the Claims**

Claims 14-22 and 25-35 are pending and under examination. In this Amendment, Applicant amends claims 27-35. Support for the amendments may be found at, for example, at page 14, lines 11-15 of Applicant's specification, which explains that "[t]he method and system according to the present invention can be implemented as a computer program comprising computer program code means adapted to run on a computer. Such computer program can be embodied on a computer readable medium." In addition, support for the amendments may be found at, for example, page 8, line 15 to page 9, line 2 of Applicant's specification, which refers to implementations using a "buffer" and which one of ordinary skill in the art would recognize as referring to tangible memory in a computer system. Applicant's specification therefore supports embodiments of "tangibly-embodied" computer readable media.

### **II. Response to Rejection**

Regarding the rejection under 35 U.S.C. § 101, the Examiner suggests amending the claims "to recite a non-transitory computer readable medium," and advises Applicant to identify support in the specification for "physical computer media." Office Action, page 2 (emphasis in original).

Although Applicant disagrees with the rejection of claims 27-35 under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter, to advance prosecution, Applicant has amended claims 27-35 to recite "a non-transitory computer readable medium," as suggested by the Examiner. *See* Office Action at 3. As Applicant's claims are directed towards statutory subject matter, they are allowable and the rejection under 35 U.S.C. § 101 should be withdrawn.

### **III. Comments on Statements of Reasons for Allowance**

Applicant thanks the Examiner for the acknowledgement of allowable subject matter in claims 14-22, 25, and 26. *See* Office Action at 4. In the Office Action, on page 4, the Examiner provided a statement of reasons that the claims are allowable. Applicant does not necessarily agree with the Examiner's asserted reasons why the claims patentably distinguish over the cited references. For example, Applicant does not necessarily agree with the apparent assertion that the listed features are the only reason the claims are allowable over the cited references. Instead, claims 14-22 and 25-35 are patentably distinguishable over the cited references at least because the cited references, whether taken alone or in any combination, fail to teach or suggest each and every feature in the claims.

The Examiner's Statement of Reasons for Allowance might be construed to contain characterizations of the claims and the prior art with which Applicant does not necessarily agree. Unless expressly noted otherwise, Applicant declines to subscribe to any statement or characterization in the Examiner's Statement of Reasons for Allowance.

### **IV. Conclusion**

Applicant respectfully requests reconsideration and withdrawal of the rejection, and the timely allowance of the pending claims.

The Office Action contains a number of statements reflecting characterizations of the pending claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

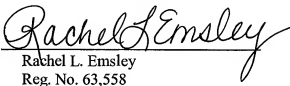
If there are any remaining issues or misunderstandings, Applicant requests the Examiner telephone the undersigned representative to discuss them.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account 06-0916.

Respectfully submitted,

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